IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

WEDNESDAY, THE 23RD MAY 2007 / 2ND JYAISHTA 1929

WP(C).No. 14495 of 2007(A)

PETITIONERS:
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1. SOUDA BEEVI, D/O.BEEVIKUNJU,
   AGED 75, RESIDING AT CHETTIVILA VEEDU,
   NADAYARA, MUTTAPPALAM DESOM,
   CHEMMARUTHY VILLAGE, VARKALA P.O.

2. ABIDA BEEVI, D/O.SOUDA BEEVI,
   AGED 44, RESIDING AT CHETTIVILA VEEDU,
   NADAYARA, MUTTAPPALAM DESOM,
   CHEMMARUTHY VILLAGE, VARKALA P.O.

BY ADV. SRI.J.S.AJITHKUMAR

RESPONDENTS:
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1. MUHAMMED RASHEED, S/O.ABDUL KHASIM,
   AGED 54, PALAVILA VEEDU, MUTTAPPALAM DESOM,
   CHEMMARUTHY VILLAGE, VARKALA,
   THIRUVANANTHAPURAM DISTRICT.

2. THAJUNNISSA BEEVI, D/O.ABDUL AZEEZ,
   AGED 45, RESIDING AT PALAVILA VEEDU,
   MUTTAPPALAM DESOM,CHEMMARUTHY VILLAGE, VARKALA,
   THIRUVANANTHAPURAM DISTRICT.

3. ANZAR, S/O.ABDUL SATHAR, AGED 34,
   RESIDING AT PUTHEN VEEDU, KARIYARA,
   MUTTAPPALAM DESOM,CHEMMARUTHY VILLAGE, VARKALA,
   THIRUVANANTHAPURAM DISTRICT.

4. ABDUL RAHIM, S/O.ABDUL AZEEZ,
   A.R.MANZIL, MUTTAPPALAM DESOM,
   CHEMMARUTHY VILLAGE, THIRUVANANTHAPURAM DISTRICT.

5. ABUSATH, D/O.SAINABA BEEVI,
   AGED 38, RESIDING AT A.R.MANZIL,
   MUTTAPPALAM DESOM, CHEMMARUTHY VILLAGE,
   THIRUVANANTHAPURAM DISTRICT.

6. S.I. OF POLICE, VARKALA POLICE STATION.

7. C.I. OF POLICE, VARKALA POLICE STATION,
   VARKKALA.

8. DIRECTOR GENERAL OF POLICE, TRIVANDRUM.

9. STATE OF KERALA REPRESENTED BY THE
   CHIEF SECRETARY, SECRETARIAT, THIRUVANANTHAPURAM.

BY ADV. SRI.P.V.KUNHIKRISHNAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 23/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC NO.14495/2007 - APPENDIX

PETITIONERS' EXHIBITS:

EXT.P1 - TRUE COPY OF PARTITION DEED NO.2932/72 DT. 18.8.72 OF SRO, VARKALA.

EXT.P2 - TRUE COPY OF ORDER DATED 29.1.1999 IN PROCEEDINGS NO.J3-5660/99 OF DISTRICT COLLECTOR, TRIVANDRUM.

EXT.P3 - TRUE COPY OF TAX RECEIPT DT.15.7.78 OF VARKALA VILLAGE

EXT.P4 - TRUE COPY OF TAX RECEIPT DATED 23.11.1983 OF VARKALA VILLAGE

EXT.P5 - TRUE COPY OF TAX RECEIPT DT. 6.4.91 OF VARKALA VILLAGE

EXT.P6 - TRUE COPY OF TAX RECEIPT DT. 7.11.2005 OF VARKALA VILLAGE

EXT.P7 - TRUE COPY OF TAX RECEIPT DT. 16.9.2006 OF VARKALA VILLAGE

EXT.P8 - TRUE COPY OF COMPLAINT OF PETITIONERS TO THE TAHSILDAR, CHIRAYINKEEZHU TALUK DATED 25.12.2004.

EXT.P9 - TRUE COPY OF ORDER OF ADDL.TAHSILDAR, CHIRAYINKEEZHU TALUK DATED 30.11.2005.

EXT.P10 - TRUE COPY OF POSSESSION CERTIFICATE ISSUED BY THE VILLAGE OFFICER, VARKALA TO THE 1ST PETITIONER DT. 7.11.2005.

EXT.P11 - TRUE COPY OF COMPLAINT OF THE 1ST PETITIONER DT. 24.6.2006

EXT.P12 - TRUE COPY OF RECEIPT NO.598/06 DT. 25.6.2006 ISSUED BY THE SI OF POLICE, VARKALA POLICE STATION.

EXT.P13 - TRUE COPY OF COMPLAINT OF PETITIONERS TO THE 6TH RESPONDENT DATED 17.2.2007

EXT.P14 - TRUE COPY OF RECEIPT ISSUED FROM VARKALA POLICE STATION.

EXT.P15 - TRUE COPY OF PETITION DATED 23.3.2007 OF 1ST PETITIONER TO THE 8TH RESPONDENT.

EXT.P16 - TRUE COPY OF DIRECTIOIN OF 8TH RESPONDENT TO THE 7TH RESPONDENT DT.23.3.2007

EXT.P17 - TRUE COPY OF JUDGMENT IN OS NO.53/05 DT. 30.3.2007 ON THE FILE OF MUNSIFF'S COURT, VARKALA.

EXT.P18 - TRUE COPY OF COMPLAINT OF THE PETITIONERS TO THE 7TH RESPONDENT DT. 1.5.2007

RESPONDENTS' EXHIBITS:

EXT.R1(a)- TRUE COPY OF DECREE IN O.S. NO.267/92 ON THE FILE OF MUNSIFF'S COURT, VARKALA DATED 1.11.1993.

(TRUE COPY)

VAA PS TO JUDGE

J.B. KOSHY and K.P.BALACHANDRAN, JJ.

W.P. (C) No. 14495 of 2007 A

Dated this the 23rd day of May, 2007

Judgment

Koshy, J.

This is a petition for police protection. We are not expressing any opinion regarding the merits of the civil disputes between the parties. Already by order dated 18.5.2007, protection to the petitioners were granted. We are disposing of the writ petition directing the police to maintain law and order.

J.B.KOSHY
JUDGE

K.P.BALACHANDRAN
JUDGE

vaa

J.B. KOSHY AND
K.P.BALACHANDRAN, JJ.

W.P.(CRL.) NO./2007

JUDGMENT

Dated:23rd May, 2007